

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

CASTRO CHEESE CO., INC.

SUMMONS IN A CIVIL ACTION

V.

LA VAQUITA INC.  
and VAQUITA CHEESE INC.

CASE NUMBER:

07 CV 6107

TO: (Name and address of Defendant)

JUDGE BATTS

La Vaquita Inc., 216 East 117th Street, New York, New York 10035

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Jessica S. Parise, Fulbright & Jaworski LLP  
666 Fifth Avenue, New York, NY 10103

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

JUN 28 2007

CLERK

DATE

(By) DEPUTY CLERK



**Demovsky Lawyer Service**

Premier Nationwide Document Retrieval  
and Process Service Company

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
CASTRO CHEESE CO., INC.,

Plaintiff,

-against-

AFFIDAVIT OF SERVICE  
07 CV 6107

LA VAQUITA INC. AND VAQUITA  
CHEESE INC.,

Defendant.  
-----X

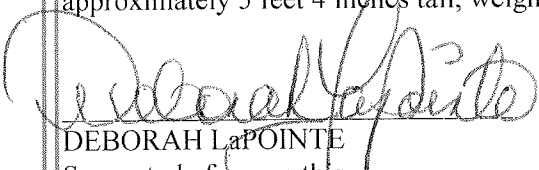
STATE OF NEW YORK    )  
                          S.S.:  
COUNTY OF ALBANY    )

DEBORAH LaPOINTE, being duly sworn, deposes and says that she is over the age of eighteen years, is employed by the attorney service, D.L.S., INC., and is not a party to this action.

That on the 10<sup>TH</sup> day of July, 2007, at approximately the time of 12:30P.M., at the office of the Secretary of State, of the State of New York in the City of Albany, New York, deponent served the SUMMONS AND COMPLAINT AND CIVIL COVER SHEET AND RULE 7.1 STATEMENT AND JUDGES RULES upon LA VAQUITA INC., the defendant in this action, by delivering to and leaving with DONNA CHRISTIE an agent of the Secretary of State, of the State of New York, two true copies thereof and at that time of making such service deponent paid said Secretary of State a fee of forty dollars. That said service was made pursuant to Section, 306 Business Corporation Law.

Deponent further says that she knew the person so served as aforesaid to be the individual in the Office of the Secretary of State of New York, duly authorized to accept such service on behalf of said defendant.

DONNA CHRISTIE is a white female, approximately 45 years of age, stands approximately 5 feet 4 inches tall, weighs approximately 135 pounds with blonde hair and blue eyes.

  
DEBORAH LaPOINTE  
Sworn to before me this  
10<sup>TH</sup> day of July, 2007

  
NOTARY PUBLIC

Frank J. Panucci  
Notary Public-State of NY  
Qualified in Albany Co.  
No. 4721156  
Comm. Expires July 31, 2010